

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

EDGAR R. RIVERA and IDANIS G.)	
MORALES ¹ ,)	Case No. 3:21-cv-51
)	
<i>Plaintiffs,</i>)	Judge Travis R. McDonough
)	
v.)	Magistrate Judge Christopher H. Steger
)	
DLJ PROPERTIES, <i>et al.</i> ,)	
)	
<i>Defendants.</i>)	

ORDER

On February 16, 2021, Plaintiffs filed this *pro se* action. (Doc. 2.) Plaintiffs also filed an application to proceed *in forma pauperis*. (Doc. 1.) On May 13, 2021, Magistrate Judge Debra C. Poplin directed Plaintiffs to refile a properly signed complaint. (Doc. 4.) They did so (Doc. 6), and also filed separate applications to proceed *in forma pauperis*. (Docs. 7, 8.) Magistrate Judge Poplin then granted the applications (Doc. 9) and issued a report and recommendation recommending that the Court dismiss Plaintiffs’ Americans with Disabilities Act (“ADA”) claim pursuant to 28 U.S.C. § 1915(e)(2) but allow their federal Fair Housing Act and state disability and housing discrimination claims to proceed. (*Id.*) Plaintiffs responded to the report and recommendation indicating that they “support” Magistrate Judge Poplin’s recommendation that the Court dismiss “only” the ADA claim while allowing the federal Fair Housing Act and state-law claims to proceed (Doc. 10.)

¹ Although this is the caption reflected in ECF, the parties’ full names are Edgar R. Rivera de Jesus and Idanis I. Garcia Morales. (Doc. 10.)

After reviewing the record and the applicable law, the Court agrees with the magistrate judge's findings of fact, conclusions of law, and recommendation. Therefore, the Court **ACCEPTS** and **ADOPTS** the report and recommendation (Doc. 9) pursuant to 28 U.S.C. § 636(b)(1), and **ORDERS** that Plaintiffs' ADA claim be **DISMISSED** and that their other claims proceed.

SO ORDERED.

/s/ Travis R. McDonough

TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE